

House Bill 992

By: Representatives Hembree of the 67th, Rice of the 51st, Dollar of the 45th, Davis of the 109th, Smith of the 131st, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 9 of Title 33 of the Official Code of Georgia Annotated, relating to
2 regulation of insurance rates, underwriting rules, and related organizations, so as to provide
3 that motorcycle safety courses approved by the Department of Driver Services shall be
4 included as approved driving courses for purposes of reductions in premiums for motor
5 vehicle liability and other coverages; to provide for related matters; to repeal conflicting
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 9 of Title 33 of the Official Code of Georgia Annotated, relating to regulation of
10 insurance rates, underwriting rules, and related organizations, is amended by revising Code
11 Section 33-9-42, relating to reduction in premiums for motor vehicle liability, as follows:
12 "33-9-42.

13 (a) For each personal or family-type policy of private passenger motor vehicle insurance
14 issued or issued for delivery in this state, there shall be offered by the insurer a reduction
15 of not less than 10 percent in premiums for motor vehicle liability, first-party medical, and
16 collision coverages to the policyholder if all named drivers, as listed or who should be
17 listed on the policy application or provided in information subsequent to such application,
18 of each motor vehicle covered by such policy satisfy the requirements of subsection (b) or
19 subsection (c), as applicable, of this Code section.

20 (b) Reductions in premiums shall be available if all named drivers who are 25 years of age
21 or older:

22 (1) Have committed no traffic offenses for the prior three years or since the date of
23 licensure, whichever is shorter;

24 (2) Have had no claims based on fault against an insurer for the prior three years; and

1 (3) Complete one of the following types of driving courses:

2 (A) A course in defensive driving of not less than six hours from a driver improvement
3 clinic or commercial or noncommercial driving school approved by and under the
4 jurisdiction of the Department of Driver Services;

5 (B) An emergency vehicles operations course at the Georgia Public Safety Training
6 Center;

7 (C) A course in defensive driving of not less than six hours from a driver improvement
8 program which is administered by a nonprofit organization such as the American
9 Association of Retired People, the American Automobile Association, the National
10 Safety Council, or a comparable organization and which meets the standards
11 promulgated by the Department of Driver Services pursuant to subsection (f) of this
12 Code section; ~~or~~

13 (D) A course in defensive driving of not less than six hours offered by an employer to
14 its employees and their immediate families, which course has been approved by the
15 Department of Driver Services; ~~or~~

16 (E) A course in motorcycle safety of not less than six hours approved by the
17 Department of Driver Services.

18 (c) Reductions in premiums shall be available if all named drivers who are under 25 years
19 of age:

20 (1) Have committed no traffic offenses for the prior three years or since the date of
21 licensure, whichever is shorter;

22 (2) Have had no claims based on fault against an insurer for the prior three years; and

23 (3) Complete a preparatory course offered to new drivers of not less than 30 hours of
24 classroom training and not less than six hours of practical training by a driver's training
25 school approved by and under the jurisdiction of the Department of Driver Services or
26 by an accredited secondary school, junior college, or college.

27 (d) Upon completion of one of the driving courses specified in paragraph (3) of subsection
28 (b) or paragraph (3) of subsection (c), as applicable, of this Code section by each named
29 driver, eligibility for reductions in premiums for such policy shall continue for a period of
30 three years, provided any named driver under such policy does not commit a traffic offense
31 or have a claim against the policy based on any such driver's fault.

32 (e) The Department of Driver Services shall assure through the supervision of driver
33 improvement clinics, emergency vehicles operations courses, driver improvement
34 programs administered by nonprofit organizations, and commercial or noncommercial
35 driving schools approved by the Department of Driver Services that defensive driving

1 courses shall be available and accessible wherever practicable as determined by the
2 department to licensed drivers throughout the state.

3 (f) Each insurer providing premium discounts under this Code section shall provide, upon
4 the request of the Commissioner, information regarding the amount of such discounts in
5 a form acceptable to the Commissioner.

6 (g) The power of supervision granted to the Department of Driver Services over driver
7 improvement programs administered by nonprofit organizations under this Code section
8 shall be limited to the establishment of minimum standards and requirements relative to the
9 content of specific courses offered by such programs and relative to investigation and
10 resolution of any complaints directed towards the content or operation of any course by a
11 person enrolled in such course. The Department of Driver Services may adopt rules and
12 regulations necessary to carry out the provisions of this subsection. The Department of
13 Driver Services shall not require a nonprofit organization to obtain a license or permit or
14 to pay a fee in order to administer a driver improvement program in the state. The
15 Department of Driver Services shall not require a commercial driving school licensed by
16 such department to obtain an additional license to teach a defensive driving course, as
17 described in subparagraph (b)(3)(A) or paragraph (3) of subsection (c) of this Code section,
18 at any location in this state.

19 (h) Nothing in this Code section shall prevent an insurer from offering the reduction in
20 premium specified in subsection (a) of this Code section to a driver who does not meet all
21 of the requirements of subsection (b) or subsection (c), as applicable, of this Code section."

22 SECTION 2.

23 All laws and parts of laws in conflict with this Act are repealed.